

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON**

IRINA KOSHILKA,

Plaintiff,

v.

K1 SPEED, INC.,

Defendant.

Case No. 3:21-cv-01552-JR

ORDER

IMMERGUT, District Judge.

On May 31, 2022, Magistrate Judge Jolie A. Russo issued her Findings and Recommendation (“F&R”). ECF 49. The F&R recommends that this Court grant Plaintiff’s Motion for Attorney’s Fees, ECF 41. On June 14, 2022, Defendant filed Objections to the F&R. ECF 51. On June 28, 2022, Plaintiff filed a Response to the Objections. ECF 52.

STANDARDS

Under the Federal Magistrates Act (“Act”), as amended, the court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). If a party objects to a magistrate judge’s F&R, “the court shall make a de novo determination of those portions of the report or specified proposed findings or

recommendations to which objection is made.” *Id.* But the court is not required to review, de novo or under any other standard, the factual or legal conclusions of the F&R to which no objections are addressed. *See Thomas v. Arn*, 474 U.S. 140, 149–50 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc). Nevertheless, the Act “does not preclude further review by the district judge, *sua sponte*” whether de novo or under another standard. *Thomas*, 474 U.S. at 154.

CONCLUSION

This Court has reviewed de novo the portions of Judge Russo’s F&R to which Defendant objected. The F&R, ECF 49, is adopted in full. Plaintiff’s Motion for Attorney’s Fees, ECF 41, is GRANTED.

IT IS SO ORDERED.

DATED this 8th day of July, 2022.

/s/ Karin J. Immergut
Karin J. Immergut
United States District Judge